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Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PAUL SOMERS, an individual,

Plaintiff,

v.

DIGITAL REALTY TRUST, INC., a Maryland  
corporation; ELLEN JACOBS, an individual, and  
DOES ONE through TEN, inclusive,

Defendants.

Case No. 3:14-cv-05180 EMC (KAW)

**STIPULATION OF PARTIES TO  
ASSIGNMENT TO COURT-APPOINTED  
MEDIATOR AND [PROPOSED] ORDER**

Plaintiff PAUL SOMERS and Defendants DIGITAL REALTY TRUST, INC. and ELLEN JACOBS hereby stipulate to participate in the Court's ADR Program through a Court appointed mediator. The parties seek the Court's approval for this request for mediation, as indicated by the proposed order below. The parties have not been able to schedule a private mediator.

The parties believe that this mediation will best serve the parties' interests and may lead to early resolution of this case.

DATED: October 10, 2016

Respectfully submitted,

SEYFARTH SHAW LLP

By: /s/ Shireen Y. Wetmore

Brian T. Ashe  
Shireen Yvette Wetmore  
Kyle A. Petersen  
Attorneys for Defendants  
DIGITAL REALTY TRUST, INC. and  
ELLEN JACOBS

DATED: October 10, 2016

By /s/ Jennifer S. Anderson

Jennifer S. Anderson  
Attorney for Plaintiff

**ATTESTATION PURSUANT TO LOCAL RULE 5-1(i)(3)**

I, Shireen Y. Wetmore, attest that concurrence in the filing of this stipulation has been obtained from the signatory, Jennifer Suzanne Anderson, counsel for Plaintiff.

Executed this 10th day of October 2016, in San Francisco, CA.

/s/ Shireen Y. Wetmore  
Shireen Y. Wetmore

1 The Court hereby orders this matter be assigned to a court-appointed mediator, with mediation to  
2 be completed by 12/19, 2016.

3 **IT IS SO ORDERED:**

4  
5 DATED: 10/18/16

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